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August 25, 2017

VIA ECF

The Honorable Nicholas G. Garaufis
United States Senior District Judge
Eastern District of New York
United States Courthouse
Room 1416 S
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. OZ Africa Management GP, LLC, 16 CR 515 (NGG)

Dear Judge Garaufis:

We represent defendant OZ Africa Management GP, LLC (“OZ Africa”), and its parent Och-Ziff Capital Management Group LLC (“Och-Ziff”), and respectfully submit this letter to request, with the consent of the Government, a three-month adjournment of the September 14, 2017 sentencing date in this matter.

On September 29, 2016, the Court accepted the guilty plea of OZ Africa to a four-count Information, under a Rule 11(c)(1)(C) plea agreement (the “Plea Agreement”). The Court initially scheduled sentencing for March 29, 2017. There has been one previous request for adjournment, which was granted: On March 17, 2017 we requested a six-month adjournment to allow time for Och-Ziff to apply to the Department of Labor (the “DOL”) for an exemption allowing Och-Ziff to continue to act as a Qualified Professional Asset Manager (“QPAM”). The Court granted our application on March 20, 2017. Sentencing is currently scheduled for September 14, 2017 at 11:30 AM.

As the Court may recall, the Plea Agreement contemplated further adjournment requests, in increments of up to six months, if the DOL’s consideration of Och-Ziff’s QPAM exemption request could not be completed before the date scheduled for sentencing. *See* Plea Agreement at 14, ¶ 22 (stipulating that the Government would not oppose further six-month adjournments provided that the Government agrees that Och-Ziff “has diligently pursued its application with the DOL”). As we have outlined in discussions with the Government, Och-Ziff has diligently been pursuing the QPAM exemption with the DOL, but the DOL’s consideration of the exemption remains ongoing. The Government has therefore confirmed

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that, consistent with the terms of the Plea Agreement, it does not object to a further three-month adjournment of the sentencing date.

Accordingly, OZ Africa and Och-Ziff respectfully request a three-month adjournment of the sentencing date, to on or about December 14, 2017, or as soon thereafter as is convenient for the Court, so that the DOL can complete its evaluation of Och-Ziff's QPAM exemption request.

Respectfully submitted,

/s/ Joel M. Cohen
Joel M. Cohen

JMC/rmc

cc: David C. Pitluck, United States Attorney's Office for the Eastern District of New York
James McDonald, Fraud Section, United States Department of Justice
Lee Dunst, Esq.
Mark Schonfeld, Esq.

(via ECF)